IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Group Art Unit 3744

In re

Patent Application of

Jony Zangari et al.

Serial No. 10/552,205

Filed: October 6, 2005

Confirmation No.: 6337

Examiner: James Thomson, Attorney Advisor

"MODULAR REFRIGERATION UNIT"

I, Robyn O'Neill, hereby certify that this correspondence is being filed electronically via EFS with the US Patent and Trademark Office, on the date of my signature.

Robyn O'Neill
Signature

July 11, 2008
Date of Signature

REQUEST FOR RECONSIDERATION OF PETITION FOR FILING WHEN THE INVENTOR REFUSES TO SIGN OR CANNOT BE REACHED UNDER 37 C.F.R. §1.47(a)

Mail Stop PCT
Commissioner for Patents
Office of PCT Legal Administration
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This Request responds to the Decision from the U.S. Patent and Trademark Office dated May 30, 2008, regarding Applicants' petition under 37 C.F.R. §1.47(a). Charge or credit Account 13-3080 with any shortage or overpayment of any fees required for this communication.

Applicants respectfully request that the Attorney Advisor consider the following remarks.

Remarks

Applicants respectfully request that the Attorney Advisor reconsider and enter Applicants' petition under 37 C.F.R. §1.47, as previously filed on November 19, 2007.

A petition for when an inventor refuses to sign a Declaration under 37 C.F.R. §1.63 requires (1) the petition fee under 37 C.F.R. §1.17(g), (2) a petition including factual proof that the missing inventor cannot be located or refuse to cooperate, (3) the last known address of the non-signing

inventor, and (4) a Declaration executed by the remaining inventors on their behalf and on behalf of the nonsigning joint inventor. *37 C.F.R. §1.47(a)*.

Applicants appreciate the Attorney Advisor's indication that Applicants have satisfied items (1), (3), and (4), listed above.

The Attorney Advisor rejected Applicants' petition under 37 C.F.R. §1.47(a) for failing to include documentary evidence in support of Mr. Hernandez' declaration that the nonsigning inventor, Mr. Raul Gutierrez, received a complete copy of the application papers (i.e., item (2)).

The invention shown and claimed in the above-identified patent application was conceived by the five named co-inventors, including the following individual, whose believed full current address is as follows:

Mr. Raul Gutierrez
Jesus Guajardo #424 Sur.
Buena Vista: C.P. 88120, Nuevo Laredo, Tamps

In view of the pertinent facts discussed below, particularly the express written refusal of Mr. Gutierrez to execute the papers required for filing the present application, Applicants are believed to be entitled to make such application on their behalf and on behalf of Mr. Gutierrez.

The undersigned attorney hereby presents the following statement of pertinent facts:

1. On information and belief, Hussmann Corporation ("Hussmann") is the Assignee-in-interest of the invention shown and claimed in the above-identified patent application. Each of the inventors, except Mr. Gutierrez, has previously assigned all right and title in the invention to Hussmann via an assignment document recorded with the U.S. Patent and Trademark Office on November 21, 2005, at reel/frame 016805/0683

2. Hussmann's patent council, Michael Best & Friedrich, L.L.P. (hereinafter, "MBF"), filed the application on October 6, 2005, with an executed Declaration and Power of Attorney document (hereinafter "Declaration"), which was signed by four of the five inventors. Mr. Raul Gutierrez did not sign the Declaration.

3. Upon information and belief, Raul Gutierrez terminated his employment with Hussmann on March 15, 2005.

4. On March 5, 2008, formal papers for the present application, including copies of the Application, a Declaration and Power of Attorney for Patent Application form ("Declaration"), and an Assignment form ("Assignment"), were sent to Mr. Gutierrez via DHL certified mail service to his last known address. Copies of the cover letter, the Application, the Declaration, and the Assignment sent to Mr. Gutierrez are included in Exhibit A. Copies of the certified mailing receipt and the tracking history indicating that the cover letter, the Application, the Declaration, and the Assignment were delivered to Mr. Gutierrez' last known address are included in Exhibit B.

5. Upon information and belief, on March 7, 2008, Raul Gutierrez was presented with English-language versions of the following application (PCT/US2004/010577) and Declaration document for the Application:

> Utility Application Entitled "MODULAR REFRIGERATION UNIT"
> Serial No.: 10/552,205
> Filing Date: October 6, 2005
> Inventors: Jony Zangari, Aaron Hernandez, Javier Flores, Dennis Dickerson, Raul Gutierrez
> Attorney Docket No.: 047177-9121-01.

6. On March 11, 2008, Mr. Gutierrez sent an email to MBF in which he stated his refusal to execute the Declaration for the Application. A copy of Mr. Gutierrez' email indicating his refusal is included in Exhibit C.

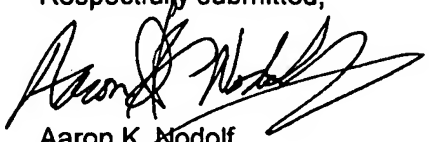
16. I hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

Conclusion

Applicants have declared all facts upon which they concluded that Mr. Gutierrez refused to sign the Declaration and join them in the application. Via Applicants' petition under 37 C.F.R. §1.47(a) and the statement by the undersigned attorney, Applicants have satisfied the requirements set forth in 37 C.F.R. §1.47(a). As such, Applicants request that the Attorney

Advisor's Decision to dismiss Applicants' petition be withdrawn, and that the Attorney Advisor reconsider and grant Applicants' petition under 37 C.F.R. §1.47(a).

Respectfully submitted,



Aaron K. Nodolf
Reg. No. 62,081

Docket No.: 047177-9121-01
Michael Best & Friedrich LLP
100 East Wisconsin Avenue
Milwaukee, Wisconsin 53202-4108
414.271.6560

Exhibit A

MICHAEL BEST
& FRIEDRICH LLP

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Glen A. Weitzer
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March 5, 2008

VIA DHL
CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Mr. Raul Gutierrez
Jesus Guajardo #424 Sur.
Buena Vista: C.P. 88120
Nuevo Laredo, Tamps

Re: U.S. Patent Application No. 10/552,205 – "MODULAR REFRIGERATION UNIT"
File No. 047177-9121-01 US

Dear Raul:

I am enclosing a copy of the U.S. patent application that was filed on October 6, 2005, and that covers the above-identified invention for which you are listed as one of the inventors. Also enclosed are a Declaration and Power of Attorney for Patent Application form and an Assignment form ("Declaration" and "Assignment", respectively).

Hussmann has informed us that you have co-invented the subject matter of the enclosed application as part of your previous employment with Hussmann. Therefore, we are providing the attached Declaration and Assignment forms to you for your signature. Please review the enclosed patent application and then sign, date, and return the Declaration and Assignment forms to me prior to March 31, 2008.

Please be aware that we believe Hussmann, your employer when you co-invented the subject matter of the filed patent application, is already the owner of the invention covered by the filed patent application. Therefore, Hussmann can proceed with the filed patent application without the executed forms. However, it is beneficial for everyone if you sign and return the forms.

If we do not receive the signed documents by March 31, 2008, we will interpret failure to return the documents as a statement of your intention to not cooperate with us in the prosecution of the enclosed application. At that time, we will proceed with the patent application without your cooperation.

Again, please sign, date, and return the executed Declaration and Assignment forms to me prior to March 31, 2008. Please contact me if you have any questions or concerns regarding this correspondence.

Very truly yours,

MICHAEL BEST & FRIEDRICH LLP

Glen A. Weitzer

GAW:akn

Enclosures

MODULAR REFRIGERATION UNIT

FIELD OF THE INVENTION

This invention relates to a merchandising display cooler of the type used in convenience stores, snack bars and restaurants for storing and cooling drinks, particularly carbonated beverages provided in cans and bottles. More particularly, this invention relates to the refrigeration unit used for cooling the merchandiser and to the resultant air-flow distribution in the merchandiser.

BACKGROUND OF THE INVENTION

Typically, merchandising coolers have a vertical display area which is visible to the consumer through glass doors which may be hinged or which may slide for easy access to the display shelves positioned within the refrigerated compartment. The refrigerated compartment is cooled by a refrigeration unit that includes an evaporator assembly and a condenser assembly arranged in a closed circuit such that coolant (typically Freon) is pumped to the evaporator assembly by a compressor. The fan of the evaporator assembly distributes incoming return air from the refrigerated compartment to distribute the cooled air into the interior of the refrigerated compartment. The coolant is withdrawn from the evaporator coil in a gaseous state and pumped through a compressor to the condenser assembly to be condensed. After the coolant moves through the condenser assembly, it flows back to the evaporator to repeat the cycle.

Commonly, the condenser and evaporator assemblies are positioned separately and remotely from each other within the walls of the cooler. Most commonly the condenser assembly is located in the base of the cabinet and the evaporator assembly is located in the top of the cabinet. The origins of this arrangement are partly historical in that condensers and evaporators were often provided by respective suppliers who did not design their units to cooperate with each other. It thus became convenient to locate them separately and to complete the assembly after installation in the cabinet by providing appropriate electrical connecting means and tubular conduits for coolant flow between the condenser assembly and the evaporator assembly.

The "split system" has inherent disadvantages which are apparent during assembly and servicing of the cooler cabinet. It will be appreciated that the assemblies cannot be tested until fully installed in the cabinet and that, if any problems are discovered, the entire cabinet must be accommodated so that it can at least be partially disassembled and

retested. Similarly, when a cooler which has been in use is found to be defective, the entire cooler must be put out of service in order to carry out the appropriate repairs.

In order to overcome the previously-stated problems, the present invention provides a modular refrigeration unit that includes a condenser assembly and an evaporator assembly mounted on a common frame that is easily removable from the cooler for more efficient repair or replacement.

SUMMARY OF THE INVENTION

In accordance with one aspect of the invention, there is provided a modular refrigeration unit for use in an accessible compartment of a cooler. The modular refrigeration unit includes a wire-frame support, a dividing wall mounted to the wire-frame support, a condenser assembly mounted to the wire-frame support on one side of the dividing wall, and an evaporator assembly mounted to the opposite side of the dividing wall. The wire-frame support includes a forward portion that provides a convenient gripping location such that the modular refrigeration unit can be easily installed into and removed from the accessible compartment by an operator lifting and manipulating the modular refrigeration unit by the gripping location.

The dividing wall and a portion of the accessible compartment being adapted to sealingly engage with each other so as to define an insulated compartment for containing the evaporator assembly separate from the condenser assembly which remains within a portion of the accessible compartment that is in fluid communication with the atmosphere. The condenser assembly includes a compressor, a motorized fan, condenser coil, and collecting tray. The condenser assembly operates to receive the coolant from the evaporator assembly and return the coolant to the evaporator assembly in a condensed form. The evaporator assembly comprises an evaporator coil associated with a fan which directs warmer return air from the refrigerated cabinet over the evaporator coil so that the emerging cooled air is forced into the cabinet for distribution.

In accordance with another aspect of the invention, a back wall of the cabinet is spaced from an inner back panel which extends along the height of the interior of the cabinet. The space between the inner back panel and the back wall defining a vertically extending air passage for cold air flow. The cold air passage discharges cold air into the cabinet at selected locations defined by openings formed in the inner back panel. The cold air is discharged into the cabinet from the air passage and is directed toward the front of the cabinet, and then redirected down and around the forward portion of a lower plate of

the cabinet. Once the return air bypasses the lower plate, it is redirected to a return air passage that is located in the interior floor.

Other features and advantages of the invention will become apparent to those skilled in the art upon review of the following detailed description, claims, and drawings.

BRIEF DESCRIPTION OF THE DRAWINGS

Fig. 1 is a side view of a merchandising display cooler according to an embodiment of the present invention.

Fig. 2 is a top view of the merchandising display cooler shown in Fig. 1.

Fig. 3 is a front perspective view of a modular refrigeration unit of the merchandising display cooler shown in Fig. 1.

Fig. 4 is a rear perspective view of the modular refrigeration unit shown in Fig. 3.

Fig. 5 is a front perspective view of the modular refrigeration unit shown in Fig. 3.

Fig. 6 is a front perspective view of the modular refrigeration unit shown in Fig. 3.

Fig. 7 is a rear perspective view of the modular refrigeration unit shown in Fig. 3.

Fig. 8 is an exploded view of the modular refrigeration unit shown in Fig. 3.

Fig. 9 is a front perspective view of the merchandising display cooler shown in Fig. 1.

Before one embodiment of the invention is explained in detail, it is to be understood that the invention is not limited in its application to the details of construction and the arrangements of the components set forth in the following description or illustrated in the drawings. The invention is capable of other embodiments and of being practiced or being carried out in various ways. Also, it is understood that the phraseology and terminology used herein is for the purpose of description and should not be regarded as limiting. The use of "including" and "comprising" and variations thereof herein is meant to encompass the items listed thereafter and equivalents thereof as well as additional items. The use of letters to identify elements of a method or process is simply for identification and is not meant to indicate that the elements should be performed in a particular order.

DETAILED DESCRIPTION

Referring to Figs. 1 and 2, a merchandising display cooler 10 made in accordance with the invention comprises a cabinet generally indicated by numeral 20 having a top wall 22, back wall 24, right side wall 26, left side wall 28, and bottom wall 30. An insulated interior floor 32 is vertically spaced from the bottom wall 30 so as define an accessible compartment 37 accommodating a refrigeration unit 12. A transparent door 34 is hinged to one of the side walls 26, 28 and covers the front opening of the cabinet 20. A peripheral seal 36 mounted to the door 34 to keep the interior of the cabinet 20 airtight.

In the accessible compartment 37, the bottom wall 30, interior floor 32, and side walls 26, 28 each include a respective raised portion 38 that extends inwardly from the walls 26, 28, 30, 32. An insulated dividing wall 42 includes a peripheral seal 44 which sealingly engages the raised portions 38 within the accessible compartment.

The refrigeration unit 12 is comprised of an evaporator assembly 46 and a condenser assembly 48. The dividing wall 42 is mounted to a wire-frame support 50. The evaporator assembly 46 is mounted to one side of the dividing wall 42 so as to extend rearwardly towards the back wall 24 inside an insulated compartment 39. The condenser assembly 48 is mounted on the wire-frame support 50 on the opposite side of the dividing wall 42 such that the condenser assembly 48 extends forwardly of the dividing wall 42 towards the front of the accessible compartment 37. The condenser assembly 48 is thus accommodated beneath the forward portion of the interior floor 32. A cosmetically-pleasing, removable grill 52 is disposed beneath the door 34 and conceals the accessible compartment 37 and the modular refrigeration unit 12 from view.

The evaporator assembly 46 comprises an evaporator coil 58 mounted to the dividing wall 42. A motorized fan 56 is mounted to the evaporator coil 58 to move air through the evaporator coil 56 as is conventional in the art. As illustrated in Figs. 6-8, multiple fans 56 can be used along with the evaporator coil 58. The condenser assembly 48 comprises a compressor 60, a motorized fan 64 and a heat exchanging condenser 66. The compressor 60 is mounted to the wire-frame support 50 through vibration damping mounts 65. The condenser 66 is mounted to the wire-frame support 50 through a support tray 55, and the fan 64 is mounted to the condenser 66.

Coolant is circulated in a closed circuit between the evaporator assembly 46 and the condenser assembly 48, leaving the evaporator coil 58 as a gas for compression in the compressor 60. The coolant is fed from the compressor 60 in a serpentine path through a

coil that supplies the heat exchanging condenser 66 where the coolant is ultimately condensed to a liquid and returned to the evaporator assembly 46.

The interior floor 32 is spaced from the back wall 24 and an inner back panel 72 extends along the height of the interior of the cabinet from the interior floor 32 towards the top wall 22. The space between the inner back panel 72 and the back wall 24 defines a cold air passage 78. The evaporator assembly 46 is disposed inside the cabinet 20 so that cool air emerging from the evaporator coil 58 will enter the cold air passage 78. The inner back panel 72 includes openings 82 which discharge the flow of cold air from the cold air passage into the refrigerated compartment.

The return air passage 88 is defined in the interior floor 32 and is in communication with the insulated compartment of the evaporator assembly 46. Return air passage 88 receives warmed air from the refrigerated compartment and the fan 56 draws that air through the evaporator coils to cool the air and discharge it once again into the cold air passageway.

In use, cool air emerging from the evaporator assembly is forced into the cold air passage 78 and is discharged through the openings 82 into the refrigerated portion of the cabinet 20. There is sufficient pressure in the emerging cool air for at least some of this air to reach the front of the cabinet adjacent the door 34. The return air flows towards the interior floor 32 along the door 34. The air flows rearwardly along the interior floor 32 and below an interior plate 86 where it enters the return air passage 88 and is aspired by the evaporator fan 56 into the insulated compartment 39 containing the evaporator assembly 46.

Thus a circulatory air flow is created with cool air rising along the back wall, being discharged forwardly into the refrigerated compartment and returned on the interior floor 32 where it is returned to the evaporator assembly 46 so as to repeat the cycle. The openings 82 deliver cool air directly to the bottom rear zone of the refrigerated compartment and afford better temperature control in that area.

It will be appreciated that the evaporator assembly 46 is enclosed by the insulated compartment 39 defined by the insulated interior floor 32, the bottom wall 30, the insulated dividing wall 42, the insulated back wall 24 and the side walls 26, 28. By virtue of its function, the evaporator coil 58 is very cold and inevitably any moisture carried by return air aspired through the return air passages 88 is condensed when it reaches the insulated aforementioned compartment for the evaporator assembly 46. Effectively, the

evaporator coil 58 operates to dehumidify the air in the refrigerated portion of the merchandising cooler.

An evaporator pan 120 is mounted to the wire-frame support 50 and is positioned under the evaporator coil 58. The pan 120 is shaped to collect any condensed moisture dripping from the evaporator coil 58. A drain hole is formed into the evaporator pan 120 and is connected to a drain conduit 134. The drain conduit 134 extends through the dividing wall 42 to discharge the collected moisture into a removable collection tray 70.

Condensed moisture emerging from the evaporator assembly 46 and fed through the drain conduit 134 thus collects in the collecting tray 70 and can be used to define a pre-cooling stage so as to assist in cooling gaseous coolant in the serpentine coil 68 (See Fig. 3) emerging from the compressor 60 prior to entry into the heat exchanging condenser 66. Conversely, hot coolant flowing through the condenser coil 68 will assist in evaporating any condensed moisture collected in the collecting tray 70. Liquids and condensed water vapor from the refrigerated interior of the cabinet can also be drained into the collecting tray 70. Evaporation of the liquids collected in the collecting tray 70 is further assisted by an ambient air flow as air is aspired by the fan 64 through the grill 52, adjacent the right side wall 26, and over the heat exchanging condenser 66 to exit from the condenser assembly 48 through the grill 52 adjacent the left side wall 28.

It will be understood that several variations may be made to the above-described embodiment of the invention. In particular, it will be understood that the nature of the refrigeration assembly as defined by the evaporator assembly 46 and the condenser assembly 48 may vary considerably. The relative proportions of the central cold air passage and the return air passages may vary, as well as the location of the cold air outlets and return air outlets provided in the inner back panel 72 in accordance with the particular application for which the cabinet is being used. Other variations within the scope of the appended claims may be apparent to those skilled in the art, the structure defined for cold air passages and warm air passages being inherently flexible to create a cooling environment adapted for any selected application.

The modular refrigeration unit 12 can be easily removed from the accessible compartment 37 by removing the grill 52 and sliding the unit 12 from the accessible compartment 37. The wire-frame support 50 includes a forward gripping portion 75 that provides the operator with a convenient gripping surface for moving the unit 12 into or out of the accessible compartment 37. The forward gripping portion 75 is a substantially vertical member that is positioned forwardly of the condenser assembly 48. The gripping

portion could also be oriented differently and could also be recessed within the condenser assembly, however it is preferable for the forward gripping portion to be accessible from the front of the unit 12. Simple plug and socket type connections can be made to connect the unit 12 to a power source and a temperature sensor in the refrigerated compartment. The plug and socket connections can be easily disconnected prior to removal and easily connected after installation.

During operation of coolers in the field, it is not uncommon for a refrigeration unit to need replacement or repair. Typically, a serviceperson is called, and the serviceperson is required to travel to the location of the cooler to examine the refrigeration unit. If major repairs are necessary, the serviceperson may not be able to repair the unit on location which could lead to the cooler being inoperable for an extended period of time. The present invention allows easy replacement of a damaged unit with an operable unit without the assistance of a serviceperson allowing store operators to self-service their own coolers. When a store operator determines that the unit needs repair or replacement, the store operator can request a replacement unit from an authorized replacement location. A replacement unit will be sent to the store operator via overnight courier or the like, and when received by the store-operator, the store operator can independently exchange the replacement unit for the old unit. The replaced unit can then be shipped back to a designated location by the store operator in the same packaging that the replacement unit was shipped. The returned unit can then be refurbished and repaired for reuse. This type of replacement program could be offered to store operators as part of an insurance program offered with the sale of the cooler.

The foregoing description of the present invention has been presented for purposes of illustration and description. Furthermore, the description is not intended to limit the invention to the form disclosed herein. Consequently, variations and modifications commensurate with the above teachings, and the skill or knowledge of the relevant art, are within the scope of the present invention. The embodiments described herein are further intended to explain best modes known for practicing the invention and to enable others skilled in the art to utilize the invention in such, or other, embodiments and with various modifications required by the particular applications or uses of the present invention. It is intended that the appended claims be construed to include alternative embodiments to the extent permitted by the prior art.

CLAIMS

1. A modular refrigeration unit for use in an accessible compartment of a cooler, the accessible compartment including a first portion in communication with a display cabinet of the cooler and a second portion in communication with the environment, the modular refrigeration unit comprising:

a wire-frame support removably positioned within the accessible compartment;

a dividing wall mounted to the wire-frame support, the divider wall being positioned between the first and second portions;

a condenser assembly mounted to the wire-frame support on one side of the dividing wall, the condenser assembly positioned within the second portion of the accessible compartment; and

an evaporator assembly mounted to the opposite side of the dividing wall, the evaporator assembly positioned within the first portion of the accessible compartment.

2. The modular refrigeration unit of claim 1, wherein the wire-frame support includes a forward portion that provides a gripping location for installing the modular refrigeration unit into the accessible compartment and removing the modular refrigeration unit from the accessible compartment.

3. The modular refrigeration unit of claim 1, wherein the condenser assembly includes a compressor mounted to the wire-frame support, a condenser coil mounted to the wire-frame support, a motorized fan mounted to the condenser coil, and a collecting tray mounted to the wire-frame support, the condenser coil in communication with the environment.

4. The modular refrigeration unit of claim 1, wherein the evaporator assembly comprises an evaporator coil mounted to the divider wall, and a fan mounted to the evaporator coil, the evaporator coil in communication with the display cabinet.

ABSTRACT

A modular refrigeration unit for use in an accessible compartment of a cooler. The modular refrigeration unit includes a wire-frame support, a dividing wall mounted to the wire-frame support, a condenser assembly mounted to the wire-frame support on one side of the dividing wall, and an evaporator assembly mounted to the opposite side of the dividing wall.

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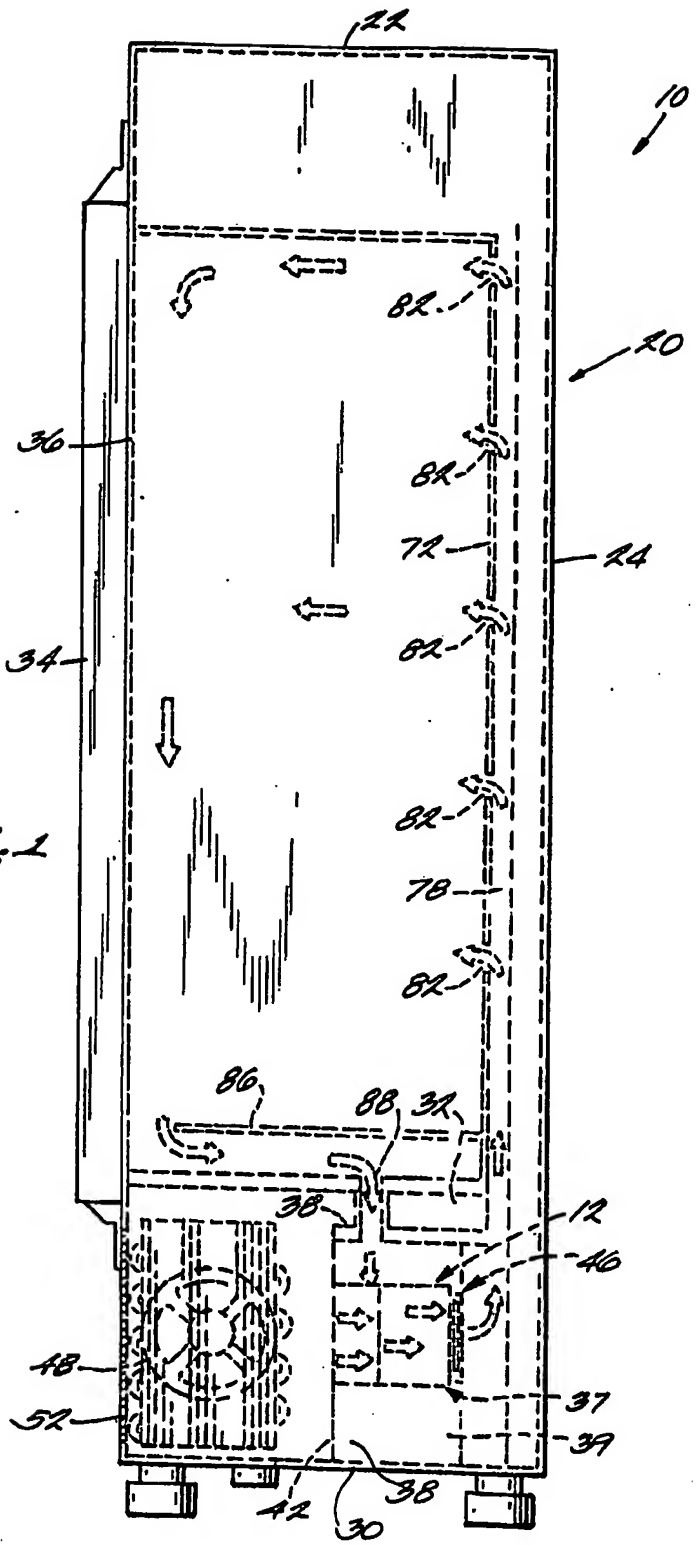
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Fig. 1

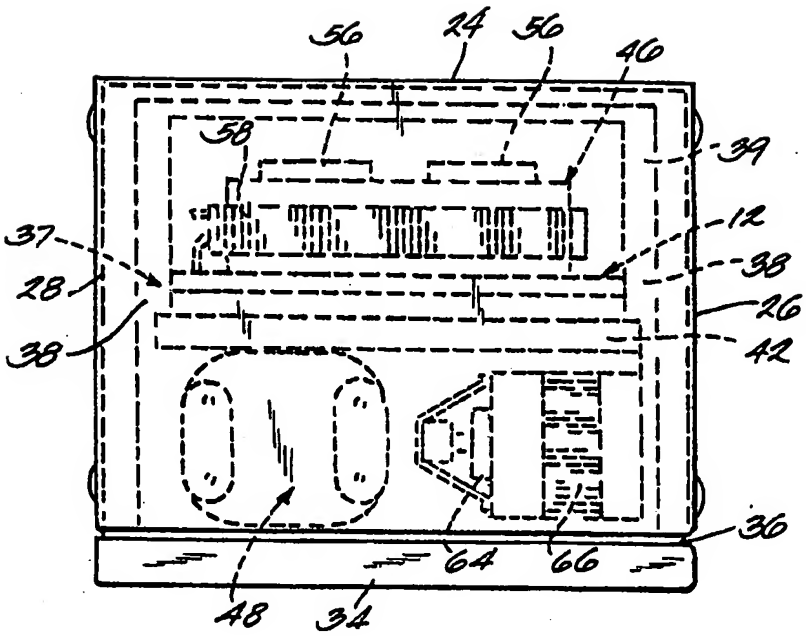

Fig. 2.

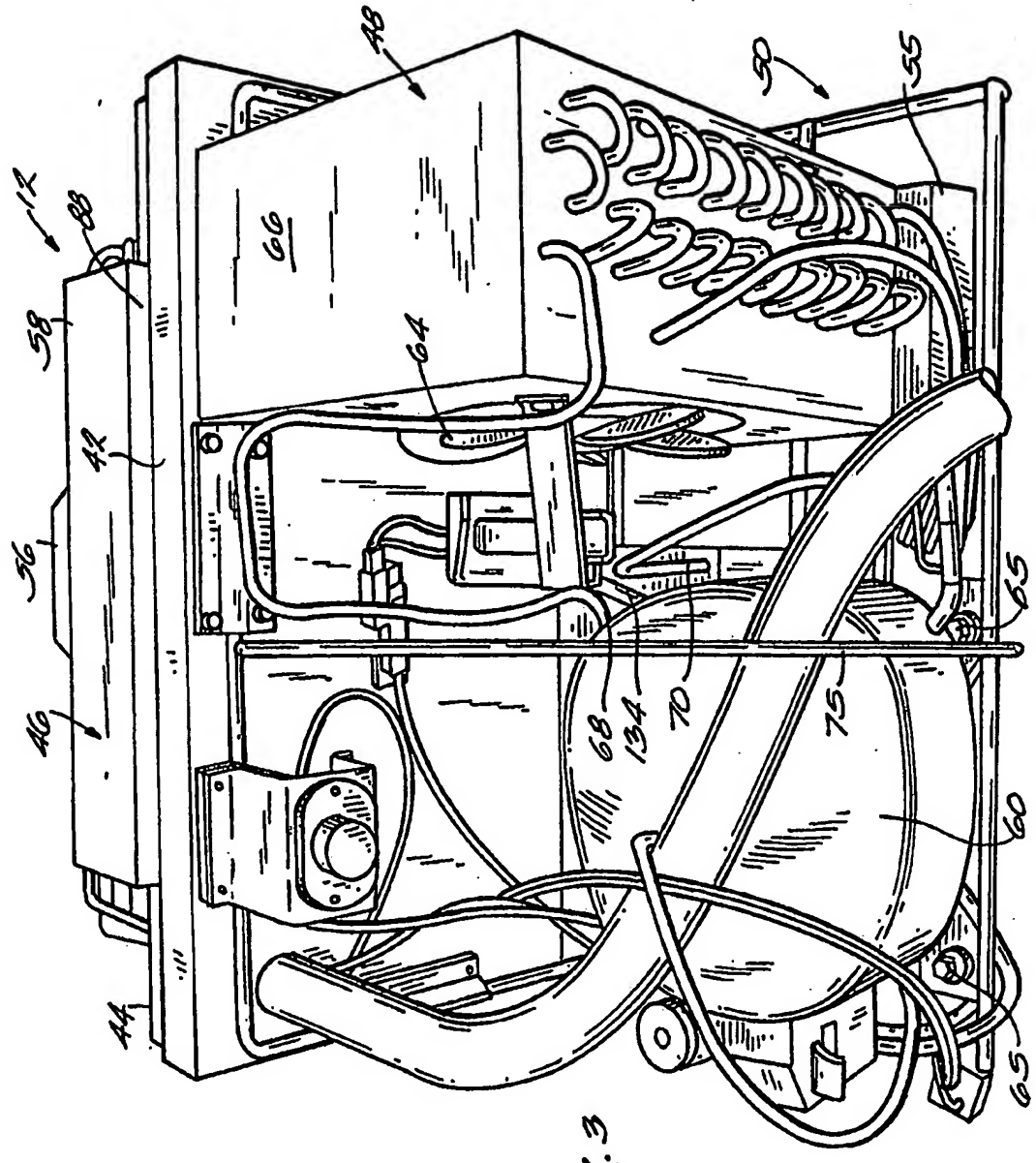

Fig. 3

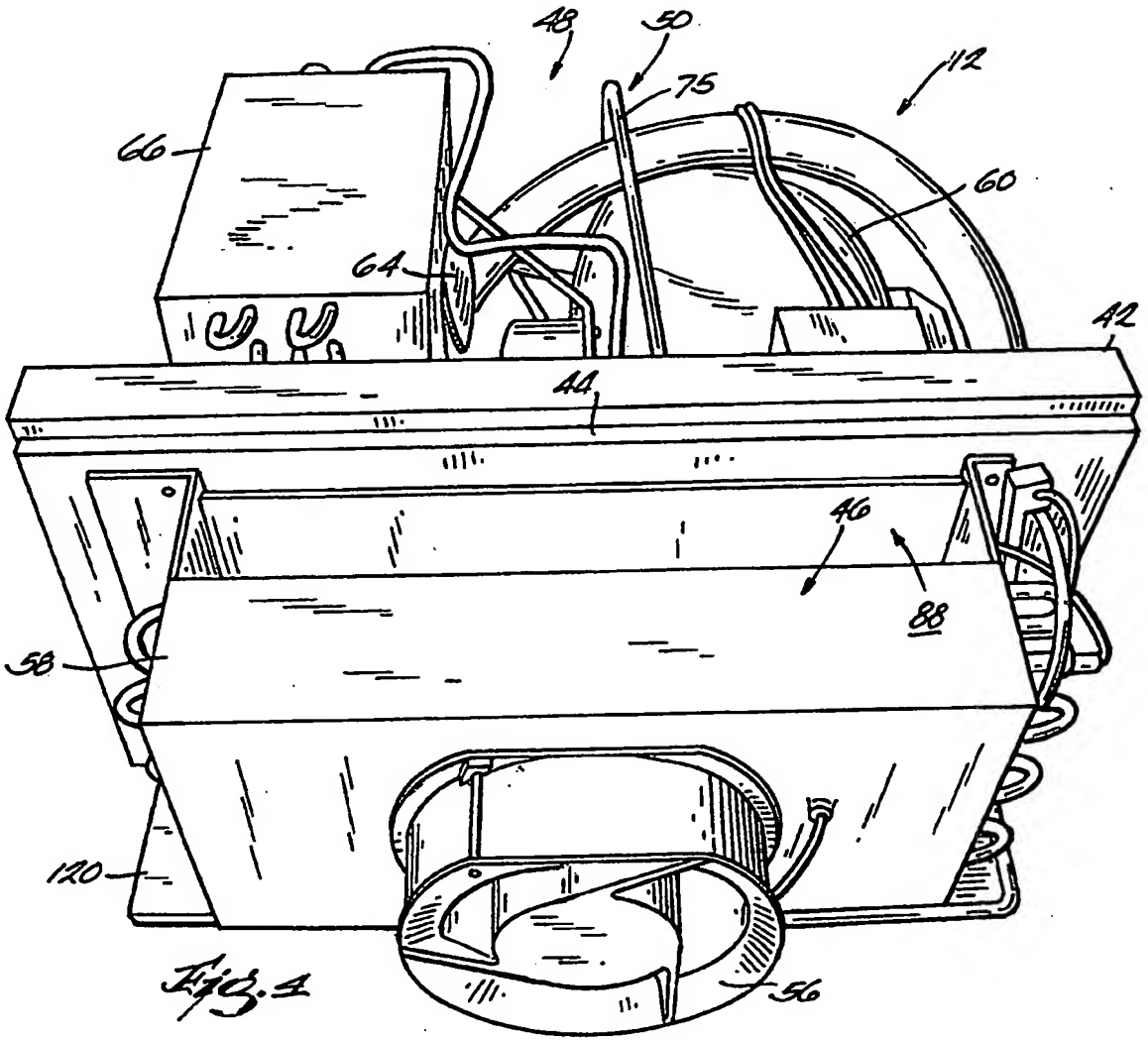

Fig. 1

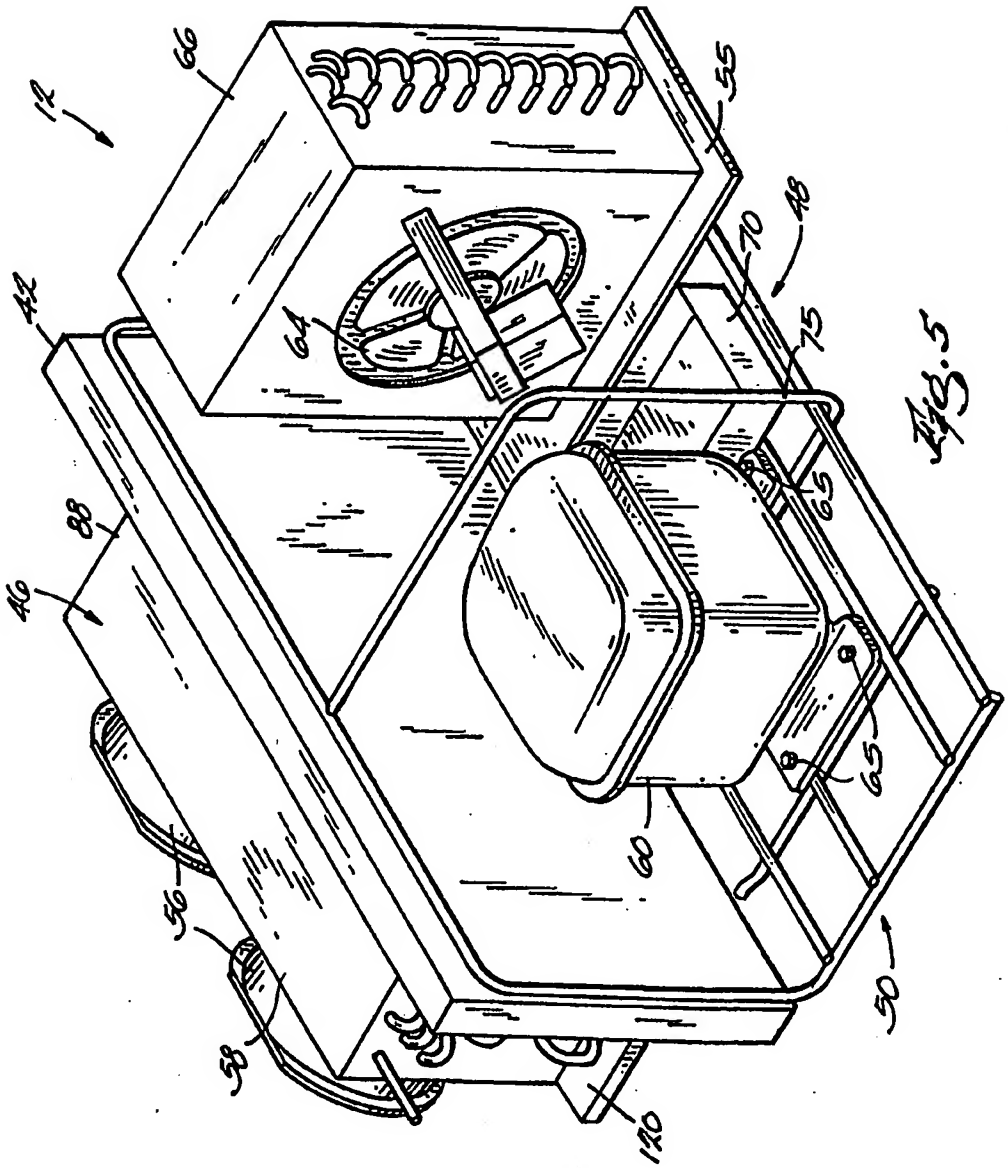

Fig. 5

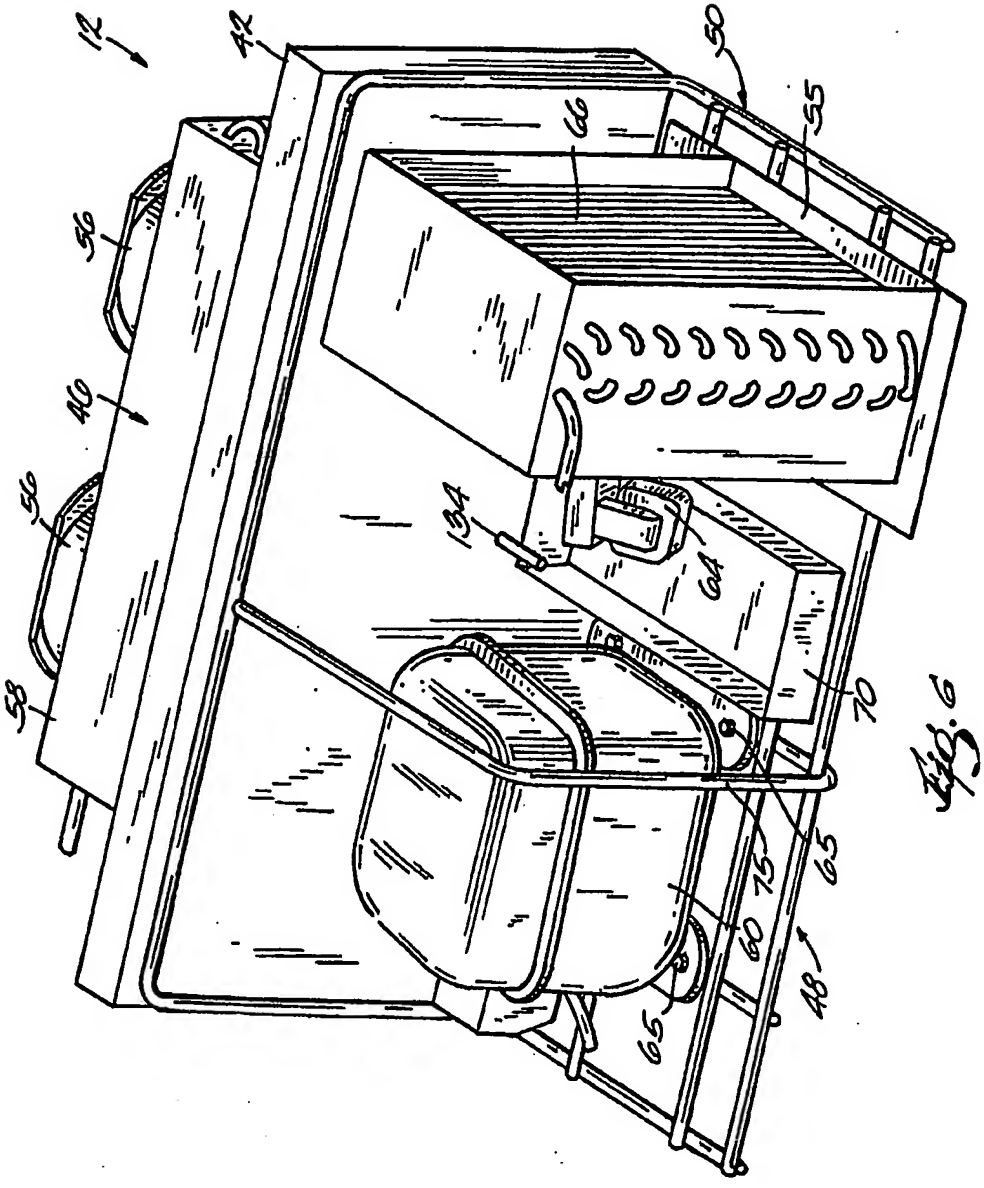

Fig. 6

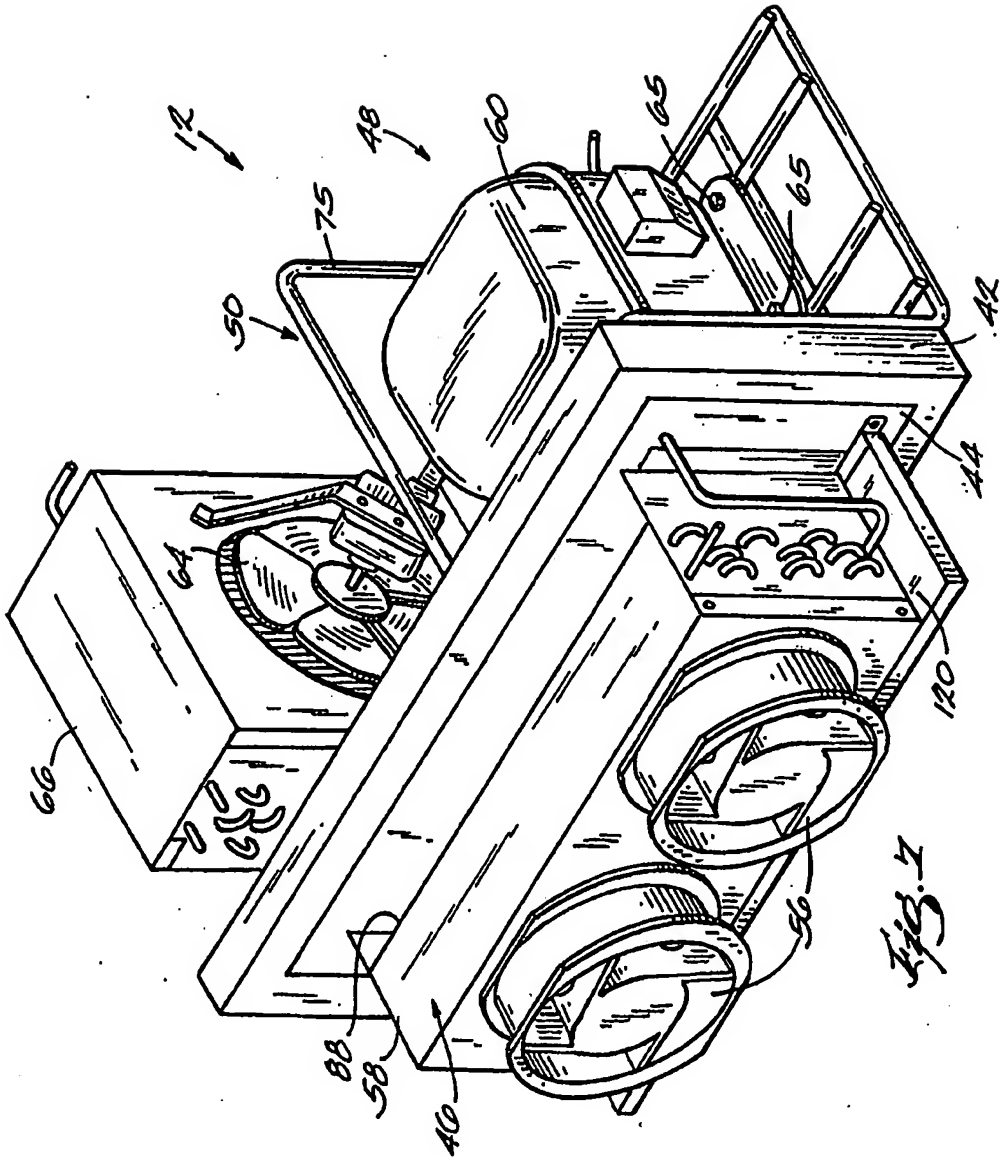

Fig. 7

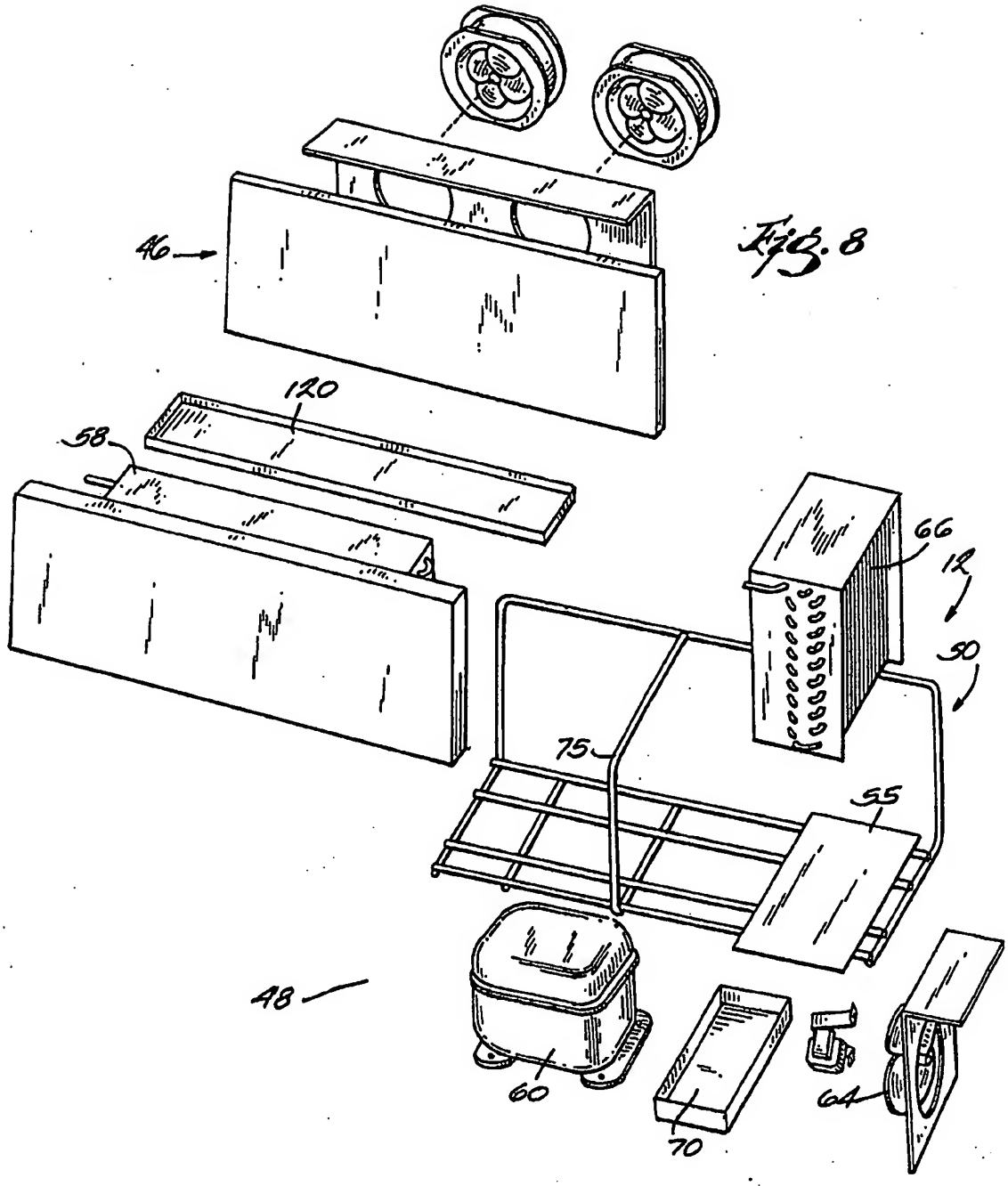

Fig. 8

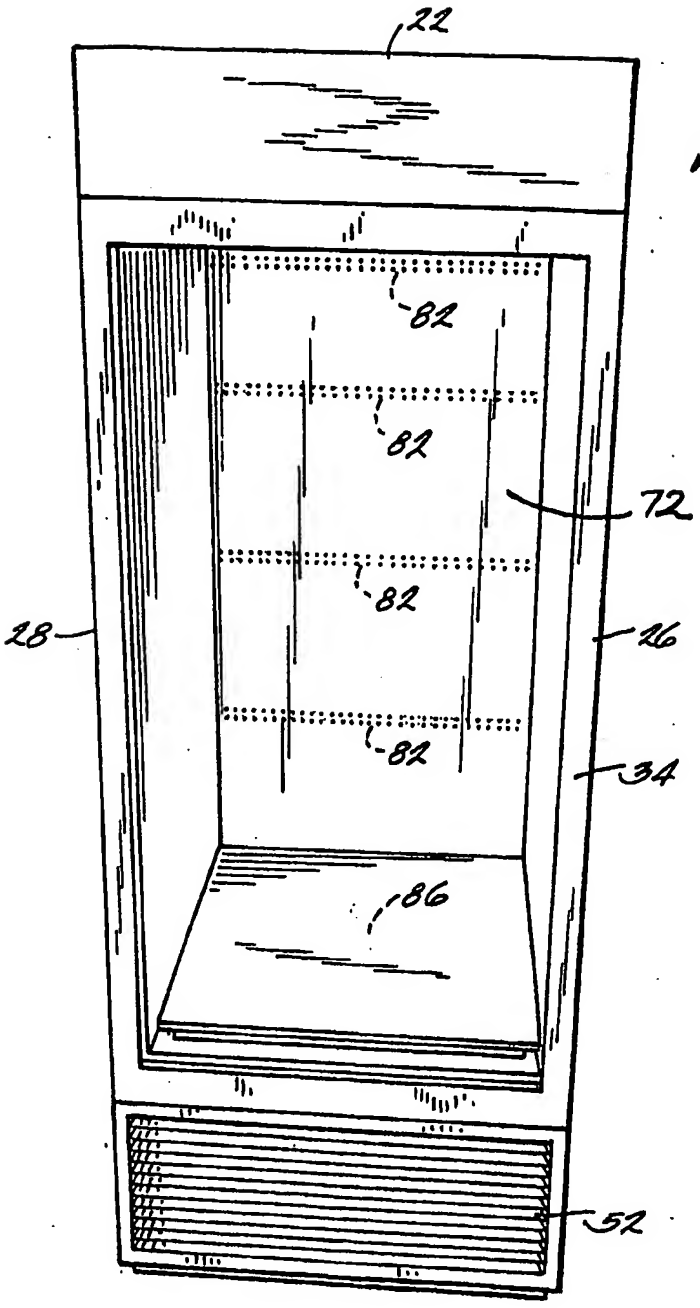

Fig. 1

Declaration and Power of Attorney For Patent Application

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled MODULAR REFRIGERATION UNIT (Attorney Docket No. 047177/9121 US01), the specification of which was filed with our authority, on April 7, 2004, as International Application No. PCT/US2004/010577.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims referred to above.

I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

As a named inventor, I hereby appoint the following registered practitioners associated with the customer number identified below to prosecute this application and transact all business in the Patent and Trademark Office connected therewith; and request that the Office direct all communication in or pertaining to this application to:

Customer Number | 23409 |

I hereby claim priority benefit under Title 35, United States Code, §119 of the provisional U.S. patent application listed below:

Application Serial No.	Filing Date
60/460,943	7 April 2003

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of inventor: Jony Zangari

Inventor's signature: _____ Date: _____

Residence: Maryland Heights, Missouri
Citizenship: Brazil
Post Office Address: 2043 Chablis Drive, Apt. D
Maryland Heights, Missouri 63146

Full name of inventor: Aaron Hernandez

Inventor's signature: _____ Date: _____
Residence: St. Louis, Missouri
Citizenship: Mexico
Post Office Address: 12549 Western Cape Drive, Apt. C
St. Louis, Missouri 63146

Full name of inventor: Javier Flores

Inventor's signature: _____ Date: _____
Residence: San Nicolas de los Grarzo N.L. C.P.
Citizenship: Mexico
Post Office Address: Abril en Portugal #213, Reidental San Nicolas
San Nicolas de los Garzo N.L. C.P. 66415

Full name of inventor: Raul Gutierrez

Inventor's signature: _____ Date: _____
Residence: Nuevo Laredo, Tamps
Citizenship: Mexico
Post Office Address: Jesus Guajardo #424 Sur.
Buenavista: C.P. 88120, Nuevo Laredo, Tamps

Full name of inventor: Dennis Dickerson

Inventor's signature: _____ Date: _____
Residence: O'Fallon, Missouri
Citizenship: United States of America
Post Office Address: 982 Mid Point
O'Fallon, Missouri 63366

Declaration and Power of Attorney For Patent Application

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled MODULAR REFRIGERATION UNIT (Attorney Docket No. 047177/9121 US01), the specification of which was filed with our authority, on April 7, 2004, as International Application No. PCT/US2004/010577.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims referred to above.

I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

As a named inventor, I hereby appoint the following registered practitioners associated with the customer number identified below to prosecute this application and transact all business in the Patent and Trademark Office connected therewith; and request that the Office direct all communication in or pertaining to this application to:

Customer Number 23409

I hereby claim priority benefit under Title 35, United States Code, §119 of the provisional U.S. patent application listed below:

Application Serial No.	Filing Date
60/460,943	7 April 2003

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of inventor: Tony Zangari

Inventor's signature: _____ Date: 10/04/2005

Residence: O'Fallon, Missouri

Citizenship: Brazil

Post Office Address: 4 Royalltrail Court
O'Fallon, Missouri 63368

Full name of inventor: Aaron Hernandez

Inventor's signature: _____ Date: _____
Residence: St. Louis, Missouri
Citizenship: Mexico
Post Office Address: 12549 Western Cape Drive, Apt. C
St. Louis, Missouri 63146

Full name of inventor: Javier Flores

Inventor's signature: _____ Date: _____
Residence: San Nicolas de los Grarzo N.L. C.P.
Citizenship: Mexico
Post Office Address: Abril en Portugal #213, Reidental San Nicolas
San Nicolas de los Garzo N.L. C.P. 66415

Full name of inventor: Raul Gutierrez

Inventor's signature: _____ Date: _____
Residence: Nuevo Laredo, Tamps
Citizenship: Mexico
Post Office Address: Jesus Guajardo #424 Sur.
Buenavista: C.P. 88120, Nuevo Laredo, Tamps

Full name of inventor: Dennis Dickerson

Inventor's signature: Dennis Dickerson Date: 10-4-05
Residence: O'Fallon, Missouri
Citizenship: United States of America
Post Office Address: 982 Mid Point
O'Fallon, Missouri 63366

Declaration and Power of Attorney For Patent Application

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled MODULAR REFRIGERATION UNIT (Attorney Docket No. 047177/9121 US01), the specification of which was filed with our authority, on April 7, 2004, as International Application No. PCT/US2004/010577.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims referred to above.

I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

As a named inventor, I hereby appoint the following registered practitioners associated with the customer number identified below to prosecute this application and transact all business in the Patent and Trademark Office connected therewith; and request that the Office direct all communication in or pertaining to this application to:

Customer Number | 23409 |

I hereby claim priority benefit under Title 35, United States Code, §119 of the provisional U.S. patent application listed below:

Application Serial No.	Filing Date
60/460,943	7 April 2003

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of inventor: Jony Zangari

Inventor's signature: _____ Date: _____

Residence: Maryland Heights, Missouri

Citizenship: Brazil

Post Office Address: 2043 Chablis Drive, Apt. D
Maryland Heights, Missouri 63146

Full name of inventor: Aaron Hernandez

Inventor's signature: _____ Date: OCTOBER 4TH 2005

Residence: St. Louis, Missouri

Citizenship: Mexico

Post Office Address: 12549 Western Cape Drive, Apt. G
St. Louis, Missouri 63146

Full name of inventor: Javier Flores

Inventor's signature: _____ Date: OCTOBER 4TH 2005

Residence: San Nicolas de los Garzo N.L. C.P.

Citizenship: Mexico

Post Office Address: Abril en Portugal #213, Reidential San Nicolas
San Nicolas de los Garzo N.L. C.P. 66415

Full name of inventor: Raul Gutierrez

Inventor's signature: _____ Date: _____

Residence: Nuevo Laredo, Tamps

Citizenship: Mexico

Post Office Address: Jesus Guajardo #424 Sur.
Buenavista: C.P. 88120, Nuevo Laredo, Tamps

Full name of inventor: Dennis Dickerson

Inventor's signature: _____ Date: _____

Residence: O'Fallon, Missouri

Citizenship: United States of America

Post Office Address: 982 Mid Point
O'Fallon, Missouri 63366

ASSIGNMENT

Pursuant to our obligation to Hussmann Corporation (hereinafter referred to as "Assignee"), a Missouri corporation having its principal place of business at:

12999 St. Charles Road
Bridgeton, Missouri 63044

and for other valuable and sufficient consideration, receipt whereof is hereby acknowledged, we:

Jony Zangari
2043 Chablis Drive, Apt. D
Maryland Heights, Missouri 63146

Aaron Hernandez
12549 Western Cape Drive, Apt. C
St. Louis, Missouri 63146

Javier Flores
Abril en Portugal #213, Residental San Nicolas
San Nicolas de los Garzo N.L. C.P. 66415

Raul Gutierrez
Jesus Guajardo #424 Sur.
Buenavista: C.P. 88120, Nuevo Laredo, Tamps

Dennis Dickerson
982 Mid Point
O'Fallon, Missouri 63366

confirm our obligation to and hereby sell, assign and convey, unto Assignee, its successors and assigns, our entire right, title and interest -

(1) in and to an invention entitled "MODULAR REFRIGERATION UNIT" the specification of which was filed with our authority on 7 April 2004 as International Patent Application No. PCT/US2004/010577 (Atty. File No. 047177/9121 US01) ("PCT Application");

(2) in and to any United States national phase patent application based on said PCT Application, in and to all other patent applications (including divisional, continuation-in-part, §111(b) provisional, §111(a), and reissue applications) based upon said invention, and in and

to the patent or patents to be granted thereon, including reissues thereof, if any, to the full end of the term or terms for which said patent or patents may be granted;

(3) in and to all patent applications on said invention now or hereafter filed in countries foreign to the United States of America, and in and to any and all patents granted on said applications to the full end of the terms for which said patents may be granted; and

(4) under the International Convention in respect to the United States patent application and/or said PCT Application and agree that any patent applications of any foreign countries which may be filed shall be filed in the name of our Assignee with a claim to priority based on said United States application and/or said PCT Application.

And we hereby agree that we will, upon demand of Assignee, its successors or assigns, and without further consideration to us, execute any and all papers that may be necessary, or deemed by Assignee, its successors or assigns, to be necessary, to a complete fulfillment of the intent and purposes of this Assignment, it being understood that any expense incident to the execution of such papers shall be paid by Assignee, its successors and assigns, and not by us.

And the Commissioner of Patents and Trademarks of the United States is hereby authorized and requested to issue the said United States patent or patents to Assignee.

Date:	Jony Zangari
Date:	Aaron Hernandez
Date:	Javier Flores
Date:	Raul Gutierrez

Date:

Dennis Dickerson

Exhibit B

REGROUP 803502817-8 QTY 100 8/04/05 3

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Shipment Value Protection (see reverse)

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2 | From (Shipper)

Shipper's Account Number	Contact Name
803502817	

Shipper's Reference (up to 35 characters)

Company Name: MICHAEL BEST & FRIEDRICH

Address: 2 RIVERWOOD PLACE STE 200
N14W24133 RIVERWOOD DR
WAUKESHA WI

Post/ZIP Code (required)	Phone, Fax, or E-mail (required)
53188172	12621956-6560

3 | To (Receiver)

Company Name:

Contact Person: Mr. Raul Gutierrez

Delivery Address DHL Cannot Deliver to a PO Box

Jesus Garabay #479 Sur.
Burna Vista C.P. 88120
Nuevo Laredo, Tamps

Country: Mexico

Post/ZIP Code (required)	Phone, Fax, or E-mail (required)
	rgutierrez@fogel-91

4 | Shipment Details

Total number of packages	Total Weight If DHL Express Document packaging used, enter XD.	Dimensions (in inches) Pieces	Length	Width	Height
	lbs	@	x	x	
		@	x	x	
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Give Content and Quantity

Documents

6 | Dutiable Shipments Only (Customs requirement)

Attach the original and four copies of a Proforma or Commercial Invoice.

Export License No./Symbol (if applicable) | Receiver's VAT/GST or Shipper's EIN/SSN

Declared Value for Customs (in US $) (as on commercial/proforma invoice) | Schedule B Number / Harmonized Code (if applicable)

AES TRANSACTION NUMBER | TYPE OF EXPORT ☐ Permanent ☐ Repair/Return ☐ Temporary

Destination Duties/Taxes If left blank, Receiver pays duties/taxes.

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☐ Dom. Priority ☐ Dom. Standard
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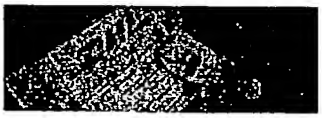

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Exhibit C

Nodolf, Aaron K (46536)

From: Raúl Gutierrez [rgutierrez@fogel-group.com]
Sent: Tuesday, March 11, 2008 9:18 AM
To: Weitzer, Glen A (46515)
Subject:
Importance: High
Sensitivity: Confidential
Attachments: 01MRTGCANON_EXCHANGE_03102008-104423.PDF

Dear Glen,

I am not interested on this issue.
This is and insignificant part of my pass and the pass is gone

Thanks to God¡. I am his instrument creator for the refrigeration.I am one step beyond on the refrigeration ambit.

Hussmann and God knows who makes real that system.

Proceed with your process and please, avoid to contact me¡

Thanks for your invitation and sorry¡

Raul Gutierrez
Refrigeration system designer.